
SENATE BILL 5196

State of Washington

60th Legislature

2007 Regular Session

By Senators Kohl-Welles, Fairley, Oemig, Shin, Rockefeller, Murray and Tom

Read first time 01/12/2007. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to eliminating a primary election for nonpartisan
2 offices in which only two candidates file for election; and amending
3 RCW 29A.36.171 and 29A.52.220.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 29A.36.171 and 2004 c 271 s 170 are each amended to
6 read as follows:

7 ((~~1~~)) Except as provided in RCW 29A.36.180 (~~and in subsection~~
8 ~~(2) of this section~~)), on the ballot at the general election for a
9 nonpartisan office for which a primary was held, only the names of the
10 candidate who received the greatest number of votes and the candidate
11 who received the next greatest number of votes for that office shall
12 appear under the title of that office, and the names shall appear in
13 that order. If a primary was conducted, no candidate's name may be
14 printed on the subsequent general election ballot unless he or she
15 receives at least one percent of the total votes cast for that office
16 at the preceding primary. On the ballot at the general election for
17 any other nonpartisan office for which no primary was held, the names
18 of the candidates shall be listed in the order determined under RCW
19 29A.36.131.

1 (~~(2) On the ballot at the general election for the office of~~
2 ~~justice of the supreme court, judge of the court of appeals, judge of~~
3 ~~the superior court, judge of the district court, or state~~
4 ~~superintendent of public instruction, if a candidate in a contested~~
5 ~~primary receives a majority of all the votes cast for that office or~~
6 ~~position, only the name of that candidate may be printed under the~~
7 ~~title of the office for that position.))~~

8 **Sec. 2.** RCW 29A.52.220 and 2005 c 153 s 10 are each amended to
9 read as follows:

10 (1) No primary may be held for any single position in any city,
11 town, district, or district court, as required by RCW 29A.52.210, if,
12 after the last day allowed for candidates to withdraw, there are no
13 more than two candidates filed for the position. The county auditor
14 shall, as soon as possible, notify all the candidates so affected that
15 the office for which they filed will not appear on the primary ballot.

16 (2) No primary may be held for nonpartisan offices in any first
17 class city if the city:

18 (a) Is a qualifying city that has been certified to participate in
19 the pilot project authorized by RCW 29A.53.020; and

20 (b) Is conducting an election using the instant runoff voting
21 method for the pilot project authorized by RCW 29A.53.020.

22 (c) This subsection (2) expires July 1, 2013.

23 (3) No primary may be held for the office of commissioner of a park
24 and recreation district or for the office of cemetery district
25 commissioner.

26 (4) No primary may be held for a single position for a nonpartisan
27 office specified in RCW 29A.52.231 if, after the last day allowed for
28 candidates to withdraw, there are no more than two candidates filed for
29 the position. The secretary of state or county auditor shall, as soon
30 as possible, notify all candidates so affected that the office for
31 which they filed will not appear on the primary ballot.

32 (5) Names of candidates for offices that do not appear on the
33 primary ballot shall be printed upon the general election ballot in the
34 manner specified by RCW 29A.36.131.

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